

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

NICOLE and BLAINE DEMONT on)	
behalf of their minor daughter, J.D.)	
)	
Plaintiffs)	
)	
v.)	Case No.
)	
RSU #34)	
)	
)	
Defendant)	

NOTICE OF REMOVAL

Defendant, RSU #34 hereby gives notice of removal of the above-captioned matter from Maine Superior Court, Penobscot County, pursuant to 28 U.S.C. § 1331, 1441 and 1446. As grounds for removal, the Defendants state as follows:

1. Plaintiffs filed their complaint in the Penobscot County Superior Court on or about June 25, 2012.
2. The Complaint asserts claims against Defendant under 29 U.S.C. § 794 and 42 U.S.C. § 12132.
3. This Court has original jurisdiction over this action under the provisions of 28 U.S.C. § 1331 because Plaintiff have asserted a claim arising under a law of the United States, 29 U.S.C. § 794 and 42 U.S.C. § 12132.
4. This action, including the pendent state law claims, may therefore be removed pursuant to 28 U.S.C. § 1441.
5. In accordance with 28 U.S.C. § 1446(d), the Defendant is filing a copy of this notice of removal with the Maine Superior Court, Penobscot County and is sending a copy to Plaintiffs' counsel.

6. A true copy of the complaint is attached to the accompanying affidavit of Melissa A. Hewey.

Dated: July 9, 2012

/s/Melissa A. Hewey
Melissa A. Hewey, Bar No. 3587
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